

# Office Action Summary

Application No.

09/203,513

Applicant(s)

AIYAMA, KENJI

Examiner

Ashanti Ghee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-13 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 6, 7 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 19 September 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The corrected or substitute drawings were received on 09/19/02. These drawings are acceptable.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-5, 8-13, 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Farros et al. (US Patent No. 5,930,810).

Regarding claim 1, Farros discloses an image processing apparatus for performing image formation based on image-formation data, said image processing apparatus causing a job data (print order) to include said image-formation data (customer and product information, etc.) and a communication procedure (inherent in Order Data Files (ODF)) for communicating with an external unit (column 4, lines 59-column 5, lines 1-32), and controlling said image formation in accordance with a result of communicating with said external unit (inherent that user is on an external unit) based on said communication procedure in said job data (column 6, lines 24-column 7, lines 1-5).

Regarding claim 2, Farros discloses an image processing apparatus wherein said job data is received from outside said image processing apparatus (column 5, lines 3-32).

Regarding claim 3, Farros discloses an image processing apparatus further including image formation means (column 5, lines 3-32).

Regarding claim 4, Farros discloses an image processing apparatus wherein said communication procedure is a procedure for communicating with a charging management unit (printing facility) for collecting charging information for charging each user for the utilizing condition of said image processing apparatus (column 5, lines 3-32 and column 11, lines 22-67).

Regarding claim 5, Farros discloses an image processing apparatus wherein said communication procedure is a procedure for communicating with an image-formation-history management unit (inherent that an existing print order is part of an image-formation-history management) for recording the history of the utilizing condition of said image processing apparatus for each user (inherent in column 8, lines 9-67).

Regarding claim 8, Farros discloses an image apparatus wherein said communication procedure is used to pay a value necessary for image formation (column 5, lines 3-32).

Regarding claim 9, Farros discloses an image processing apparatus wherein said communication procedure is independent for each image to be formed (inherent that the communication procedure is independent of each formed image, i.e. the FDF, RPF, and EPS files contain information for the user to fully describe the visual layout of the product; column 4, lines 37-58 and column 15, lines 40-column 16, lines 1-2).

Regarding claim 10, Farros discloses an image processing apparatus wherein said external unit is a computer (computer 302 reads on computer; column 6, lines 24-65).

Regarding claim 11, Farros discloses an image processing apparatus connected to an external unit via a network, said image processing apparatus comprising: communicating means for communicating with said external unit (inherent in user reads on external unit; column 12, lines 53-58); image processing means for generating image data from image-formation data (column 12, lines 16-36); image output means (printer 312) for outputting to a medium (printable medium) images based on said image data

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(print order reads on image data; column 6, lines 24-65); and control means (inherent that printer 312 must have a CPU for controlling the operations of the printer) for controlling said image processing means and said image output means (column 6, lines 24-65); wherein said communication means receives a job data including said image-formation data and a procedure for communicating with said external unit (column 4, lines 59-column 5, lines 1-32), and said control means executes said procedure in said job data to communicate with said external unit (column 5, lines 3-32), whereby controlling the image-output processing based on said image-formation data in accordance with a result of the communication with said external unit (column 6, lines 24-column 7, lines 1-5), and wherein the job data is not required to be transmitted via a print server (column 6, lines 24-column 7, lines 1-5).

Regarding claim 12, Farros discloses an image processing apparatus wherein an apparatus for supplying said job data to said image processing apparatus is connected to said network (inherent if printer is connected to a computer you automatically have a network; column 6, lines 24-column 7, lines 1-5).

Regarding claim 13, Farros discloses an image processing apparatus wherein said external unit is a charging management unit for collecting charging information for charging each user for the utilizing condition of said image processing apparatus (column 5, lines 3-32 and column 11, lines 22-67).

Regarding claim 15, Farros discloses an image processing apparatus wherein said external unit is a charge collector for charging each user for a value necessary for image formation (column 5, lines 3-32).

Regarding claim 16, Farros discloses an image processing apparatus wherein said job data is independent for each image to be formed (column 4, lines 37-58 and column 15, lines 40-column 16, lines 1-2).

Regarding claim 17, Farros discloses a machine-readable recording medium for an image processing apparatus forming images based on image-formation data, said machine-readable recording medium containing a program for enabling a computer to have a function of: receiving from the exterior a job data including said image formation data and a procedure for predetermined processing, and controlling image formation in accordance with the received procedure (column 4, lines 59-column 5, lines 1-32), and wherein the job data is not required to be transmitted via a print server (column 6, lines 24-column 7, lines 1-5).

Regarding claim 18, Farros discloses a machine-readable recording me medium containing a program for enabling a computer, in an image processing apparatus forming images based on image-formation data, to have a function of causing a job data to include said image formation data and a communication procedure for communicating with an external unit, and controlling said image formation in accordance with a result of communication with said external unit based on said communication procedure included in said job data (column 4, lines 59-column 5, lines 1-32), and wherein the job data is not required to be transmitted via a print server (column 6, lines 24-column 7, lines 1-5).

***Allowable Subject Matter***

5. Claims 6-7 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Spector** (US Patent No. 5,870,718) discloses a computer-printer terminal for producing composite greeting and gift certificate card.

**Enomoto et al.** (US Patent No. 5,974,401) discloses a digital print order and delivery method and system.

**Petovsek** (US Patent No. 6,145,884) discloses a generic special service mailing assembly and a system and method for automating the imaging of same voice recognition and security provisions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashanti Ghee whose telephone number is (703) 306-3443. The examiner can normally be reached on Monday-Friday (7AM - 4PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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746-7455 for regular communications and (703) 746-7455 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Ashanti Ghee  
Examiner  
Art Unit 2622

ag  
December 2, 2002

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600